

**United States District Court
Eastern District of Virginia
Norfolk**

**Anthony Barry Jordan
1601 Kingston Ave A
Norfolk, Va 23503
757-348-9854**

2:16 cv 75

v.

**JOS A. BANK CLOTHIERS
500 Hanover Pike
Hampstead, MD 21074**

1. I am filing suit for Discrimination and Retaliation in Federal Court because situations, evidence, witnesses and employment time is divided between two separate states. I believe due to the nature, history and patterns of discrimination that has been practiced in my state in the past towards cases similar to mines that have later proven to be discrimination that it would be in my best option at obtain a fair decision. I am seeking justice, compensation and relief from the Federal Court because I have confidence in the court to be fair and honest!

2. I began employment with Jos. Bank in June of 2014. I continued employment without incident, counseling or write ups for 8 months, reaching both sales and production quotas weekly. In Dec of 2014 I was made aware that my mother was ill in VA and needed someone to help take care of her! Though my wife was pregnant and I loved my job and location I agreed to move! I spoke with my manager, the store manager in VA and asked if there were same position opening in that location. I was told no but they had a position that would be a promotion as a key holder and that my regional manager recommended me for the position! I excepted though I would leave for 45 days!

3. I transferred in Feb and began working immediately after taking only 2 days to move my family! The first day I walked in, I noticed that the staff was all white and judging by the looks on their faces I don't think they knew I would be black. I continued to work the day as I normally would until I was released. My very next day I was advised that the position would not be given to me and that my ways were different and I would have to be retrained in their ways first. Though confused and concerned about my wife and mother I agreed. For 2 weeks I was isolated, demanded, monitored, ridiculed and demeaned in front of the other employees. I was told I should be in the back doing stock. I was insulted and expressed my desire to remain on the sales floor during peak sales hour and special sales events but was told theirs other work to be done. I also for 2 weeks since

4. I didn't have a car and the bus didn't run to the area of the store on this day I requested 1 day off a week (Sunday), weekly to take care of my mother and wife and personal task and was denied due to fairness of the other employees having to work on Sunday. I then found out that another employee had a weekly day off. I took noticed but remained silent. A few days later I asked to be let go 15mins early to catch the bus and was granted it by the assist manage and the next shift was counseled by my manager to not ask to leave early anymore. I began to notice that the treatment I was getting was unlike the rest so I began to document it.

5. On March 3 2015 my son was born 3 months early, legs first in the middle of the night. I rushed her to the hospital and called in to work! The next day I was written up for missing work and was denied time off to go back to the hospital or that week. So I just called in the next day because my son was placed in intensive care fighting for his life!! The next shift I advised my manager that my son was very sick and I would spending a lot of time in the NICU and he may not survive. I was told that's as long as it doesn't interfere with my work and was counseled in writing for missing the day and prompting the question if I could leave, the same time my son went into NICU. I FELT HORRIBLE, INSULTED INSIDE AND EMBARESSSED OUTSIDE!!

6. After a few more weeks a this refusal to allow me to take time off, my wife had an emotional breakdown feeling she is the cause for the baby and me losing my job and had to be checked in to the local then regional mental hospital for a long stay! I was hopeless at this point so I contacted my home office and advised them that I was being discriminated against and need assistance. I advised them that my manager is racist and is trying to get me out the company by degrading me and prohibiting me from being able to sale and meet my quotas!! I advised them that I was in fear and wanted to talk on off work hours and not at work because of retaliation from my manager. I was told there would be an investigating of the events and to go home until the results are rendered!

7. After only 30days from my arrival to the new store I was written up 2, reported 4 times to regional, counseled 2 times and my home office called 2 without my knowledge. 2 weeks later I got a call from home office stating they couldn't find any issues in my past or with my past managers whom all spoke well of me and that the prior employees didn't speak bad as the manager did that I would be transferred to another location in 2 days! I agreed and was hopeful that the experience would be the same. Though my wife was suffering from a mental breakdown, my mom was ill yet recovering and my son was getting weaker, I was just happy to be going back to what I liked!!

8. I arrived in April at the new store, excited but immediately notice the manager was almost identical to the other, both female blonds, similar high dress and style and that again I would be the only black at that location which wasn't a surprised to this manager as the other because she had been briefed by the regional and last local manage of my arrival. When I did arrive, I was greeted and informed that things were different at that location and many have left that location in the past for similar reasons, I explained I was great full to be there. I also explained that my son is dying yet fighting and my wife was in the hospital so I wouldn't be doing any extra hours and may get calls from the NICU IN EMERGENCIES! I was told she understood and have had a baby in there also!!

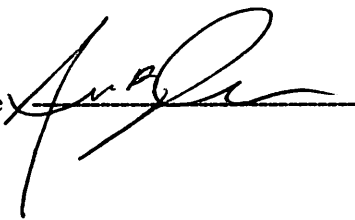
9. For the next 30days I would have to deal with these personal issues with the managers at this location doing the same exact things to remind me that the other manager was pulling the strings, like she would say, she said you hate folding, referring to the other manager, in fact she wanted me gone as much as possible which I came to find out later that my sales were very low and I was being stolen, that may hours were being dropped and my costumers not taking care of, I put two and two together and figured she was trying to drop my performance which would lead to termination.

10. I began to keep closer track and noticed it was the manager changing my time, taking my sales and stealing customers be using her authority to place you in stockrooms, behind stacks of cloths and in a back area away from customers.

11. When I attempted to ask her to please don't not take customers from me due to sales, I was told to go back to the back, I advised her that I had punched out 30 min early cause I didn't take lunch and she asked me , did you just prompt the question and to go back and finish what she asked me to do, all in a rude, embarrassing tone. It was the same thing the other manager would say as if she was punishing me for her. I was blown away with the disrespectful tactics and began to walk away and towards my car when the manager continued to call me, since I had punched out already I left!! I received a call the next day saying don't return to work until notice is given, On May 19 2015 I received a letter telling me I was not to return and I was terminated!! On June 18th my son passed away and my wife went complete mental and is now receiving permanent disability for mental stress and illnesses!

Please help me find justice in this situation, my only issues with the company was that they didn't was a black man representing the brand in VA to this manager let alone top sales!! I am seeking restitution for the time I have been unemployed and to regain employment within the company Men's Warehouse. I did give my all to the company and was just trying to save my child and wife. I still had leave I could have taken but was denied. Had I been employed with a less racist manager I believe my son would be alive and my wife would not have gotten sick

Name



Date

2/16/15

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